

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LAP VAN LE, Petitioner,	:	PRISONER HABEAS CORPUS 28 U.S.C. § 2254
	:	
v.	:	
	:	
GLEN JOHNSON, Warden, Hancock State Prison, Respondent.	:	CIVIL ACTION NO. 1:11-CV-3649-TWT-LTW

ORDER FOR SERVICE OF REPORT AND RECOMMENDATION

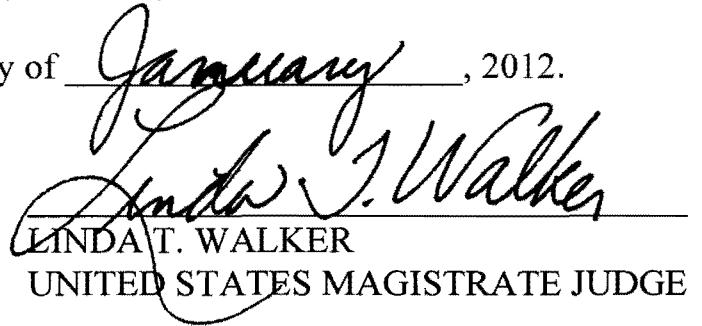
The Report and Recommendation of the United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1) and this Court's Local Rule 72, is attached. The same shall be filed and a copy, together with a copy of this Order, shall be served upon counsel for the parties and upon any unrepresented parties.

Pursuant to 28 U.S.C. § 636(b)(1)(C), within fourteen (14) days of service of this Order, each party may file written objections, if any, to the Report and Recommendation. If objections are filed, they shall specify with particularity the alleged error or errors made (including reference by page number to the transcript if applicable) and shall be served upon the opposing party. The party filing objections will be responsible for obtaining and filing the transcript of any evidentiary hearing for review by the District Court. If no objections are filed, the Report and

Recommendation may be adopted as the opinion and order of the District Court and any appellate review of factual findings will be limited to a plain error review. *United States v. Slay*, 714 F.2d 1093, 1095 (11th Cir. 1983).

The Clerk is **DIRECTED** to submit the Report and Recommendation with objections, if any, to the District Judge after expiration of the above time period.

SO ORDERED, this 6 day of January, 2012.


LINDA T. WALKER
UNITED STATES MAGISTRATE JUDGE

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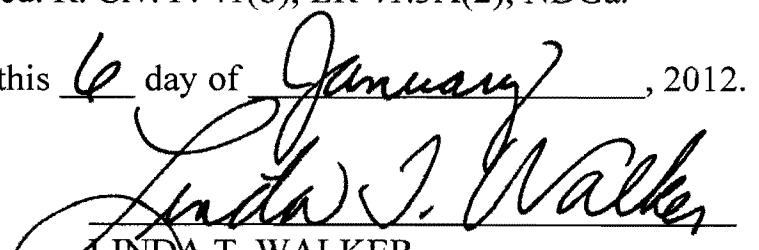
LAP VAN LE, : PRISONER HABEAS CORPUS
Petitioner, : 28 U.S.C. § 2254
: :
v. : :
: :
GLEN JOHNSON, Warden, : CIVIL ACTION NO.
Hancock State Prison, : 1:11-CV-3649-TWT-LTW
Respondent. : :

FINAL REPORT AND RECOMMENDATION

Petitioner, pro se, is confined at the Dodge State Prison in Chester, Georgia. (Doc. 7.) On November 17, 2011, the Court denied Petitioner's request to proceed *in forma pauperis* in this habeas action and ordered him to pay the five-dollar filing fee within twenty-one days. (Doc. 9.) Petitioner has not paid the filing fee or otherwise responded to the Court's Order, and the time for compliance has expired.

Accordingly, the undersigned **RECOMMENDS** that this action be **DISMISSED WITHOUT PREJUDICE** for Petitioner's failure to comply with a lawful order of the Court. *See* Fed. R. Civ. P. 41(b); LR 41.3A(2), NDGa.

SO RECOMMENDED, this 6 day of January, 2012.


LINDA T. WALKER
UNITED STATES MAGISTRATE JUDGE